

102 KAR 1:030. Substitute teachers and nonuniversity, noncommunity college part-time members.

RELATES TO: KRS 161.545, 161.5465, 161.600(1)(a), (b), 161.612, 161.661(1)

STATUTORY AUTHORITY: KRS 161.310(1), 161.545

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.545 authorizes members of the Teachers' Retirement System to receive service credit for substitute and part-time service, towards which contributions were not otherwise made, only in accordance with trustee administrative regulations. KRS 161.310(1) requires the Teachers' Retirement System Board of Trustees to promulgate administrative regulations for the administration of the funds of the retirement system and for the transaction of business. This administrative regulation establishes the requirements for evaluating and crediting that service, including balance of the year purchases.

Section 1. A member substituting for at least seven-tenths (7/10) of the legal school year for a local school district or districts may make contributions for a full year and receive a full year of service credit.

Section 2. (1) A member, not employed by a university, college or community college, who is employed part time and who teaches or is paid on the basis of at least seven-tenths (7/10) of regular full-time service may make contributions for the balance of the contract year.

(2) Members who are employed on a part-time basis after the start of a regular contract year shall not be eligible to obtain service credit for any period of the contract year prior to the date of their employment.

Section 3. (1) Contributions for substitute and part-time service pursuant to Section 1 or 2 of this administrative regulation shall be based upon the equivalent annual contract salary and shall be made by December 31 immediately following the year in which the service occurred.

(2) Interest charges of eight (8) percent per annum shall be added to payments made after June 30 of the year that the service occurred.

(3) The total amount of service credit that may be purchased pursuant to Sections 1 and 2 of this administrative regulation shall not exceed five (5) years. Service purchased pursuant to Sections 1 and 2 of this administrative regulation shall be included in calculating the maximum of five (5) years of nonqualified service credit that may be purchased in accordance with KRS 161.5465.

Section 4. (1) Service credit for substitute teaching and part-time employment rendered on or before June 30, 2002 and balance of the year purchases based on substitute teaching and part-time employment provided prior to June 30, 2002, shall have been purchased on or before December 31, 2002.

(2) Service credit for substitute teaching rendered on or before June 30, 2002 shall not be used for compliance with minimum service requirements as set out in KRS 161.600(1)(a) and (b) and 161.661(1). (TRS-3(c); 1 Ky.R. 134; eff. 12-11-1974; 3 Ky.R. 376; eff. 12-1-1976; 29 Ky.R. 2931; 30 Ky.R. 271; eff. 8-13-2003; 33 Ky.R. 3427; 34 Ky.R. 227; eff. 8-31-2007; Crt eff. 7-3-2019.)